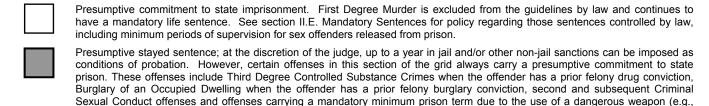
## IV. SENTENCING GUIDELINES GRID

Presumptive Sentence Lengths in Months

Italicized numbers within the grid denote the range within which a judge may sentence without the sentence being deemed a departure. Offenders with nonimprisonment felony sentences are subject to jail time according to law.

## **CRIMINAL HISTORY SCORE**

	CRIMINAL HISTORY SCORE							
SEVERITY LEVEL OF CONVICTION OFFENSE (Common offenses listed in ital	ics)	0	1	2	3	4	5	6 or more
Murder, 2nd Degree (intentional murder; drive-by- shootings)	ΧI	306 299-313	326 319-333	346 339-353	366 359-373	386 379-393	406 399-413	426 419-433
Murder, 3rd Degree Murder, 2nd Degree (unintentional murder)	x	150 144-156	165 159-171	180 <i>174-186</i>	195 189-201	210 204-216	225 219-231	240 234-246
Criminal Sexual Conduct, 1st Degree <sup>2</sup> Assault, 1st Degree	IX	86 81-91	98 93-103	110 105-115	122 117-127	134 129-139	146 141-151	158 153-163
Aggravated Robbery 1st Degree Criminal Sexual Conduct, 2 <sup>nd</sup> Degree (c),(d),(e),(f),(h) <sup>2</sup>	VIII	48 44-52	58 54-62	68 64-72	78 74-82	88 84-92	98 94-102	108 104-112
Felony DWI	VII	36	42	48	54 51-57	60 57-63	66 63-69	72 69-75
Criminal Sexual Conduct, 2nd Degree (a) & (b)	VI	21	27	33	39 37-41	45 43-47	51 <i>4</i> 9-53	57 55-59
Residential Burglary Simple Robbery	V	18	23	28	33 <i>31-35</i>	38 36-40	43 <i>41-45</i>	48 46-50
Nonresidential Burglary	IV	12 <sup>1</sup>	15	18	21	24 23-25	27 26-28	30 29-31
Theft Crimes (Over \$2,500)	III	12 <sup>1</sup>	13	15	17	19 18-20	21 20-22	23 22-24
Theft Crimes (\$2,500 or less) Check Forgery (\$200-\$2,500)	II	12 <sup>1</sup>	12 <sup>1</sup>	13	15	17	19	21 20-22
Sale of Simulated Controlled Substance	ı	12 <sup>1</sup>	12 <sup>1</sup>	12 <sup>1</sup>	13	15	17	19 <i>18-20</i>



One year and one day

Second Degree Assault). See sections II.C. Presumptive Sentence and II.E. Mandatory Sentences.

Pursuant to M.S. § 609.342, subd. 2 and 609.343, subd. 2, the presumptive sentence for Criminal Sexual Conduct in the First Degree is a minimum of 144 months and the presumptive sentence for Criminal Sexual Conduct in the Second Degree – clauses c, d, e, f, and h is a minimum of 90 months (see II.C. Presumptive Sentence and II.G. Convictions for Attempts, Conspiracies, and Other Sentence Modifiers).

## Examples of Executed Sentences (Length in Months) Broken Down by: Specified Minimum Term of Imprisonment and Specified Maximum Supervised Release Term

Offenders committed to the Commissioner of Corrections for crimes committed on or after August 1, 1993 will no longer earn good time. In accordance with Minn. Stat. § 244.101, offenders will receive an executed sentence pronounced by the court consisting of two parts: a specified minimum term of imprisonment equal to two-thirds of the total executed sentence and a supervised release term equal to the remaining one-third. This provision requires that the court pronounce the total executed sentence and explain the amount of time the offender will serve in prison and the amount of time the offender will serve on supervised release, assuming the offender commits no disciplinary offense in prison that results in the imposition of a disciplinary confinement period. The court shall also explain that the amount of time the offender actually serves in prison may be extended by the Commissioner if the offender violates disciplinary rules while in prison or violates conditions of supervised release. This extension period could result in the offender's serving the entire executed sentence in prison. The court's explanation is to be included in a written summary of the sentence.

Executed Sentence	Term of Imprisonment	Supervised Release Term	Executed Sentence	Term of Imprisonment	Supervised Release Term
12 and 1 day	8 and 1 day	4	78	52	26
13	8 2/3	4 1/3	86	57 1/3	28 2/3
15	10	5	88	58 2/3	29 1/3
17	11 1/3	5 2/3	98	65 1/3	32 2/3
18	12	6	108	72	36
19	12 2/3	6 1/3	110	73 1/3	36 2/3
21	14	7	122	81 1/3	40 2/3
23	15 1/3	7 2/3	134	89 1/3	44 2/3
24	16	8	146	97 1/3	48 2/3
27	18	9	150	100	50
28	18 2/3	9 1/3	158	105 1/3	52 2/3
30	20	10	165	110	55
33	22	11	180	120	60
36	24	12	190	126 2/3	63 1/3
38	25 1/3	12 2/3	195	130	65
39	26	13	200	133 1/3	66 2/3
42	28	14	210	140	70
43	28 2/3	14 1/3	220	146 2/3	73 1/3
45	30	15	225	150	75
48	32	16	230	153 1/3	76 2/3
51	34	17	240	160	80
54	36	18	306	204	102
57	38	19	326	217 1/3	108 2/3
58	38 2/3	19 1/3	346	230 2/3	115 1/3
60	40	20	366	244	122
66	44	22	386	257 1/3	128 2/3
68	45 1/3	22 2/3	406	270 2/3	135 1/3
72	48	24	426	284	142